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MONTANA LEGISLATIVE HISTORY

Chapter 351 19 99

Bill H _____ S 269 Original bill & history X C

H. Committee on LOCAL GOV'T			S. Committee on LOCAL GOV'T		
Hearing Date(s)	3/9	X C	Hearing Date(s)	1/28	X C
TABLED	3/23	X C	EXEC ACTION	2/2	X C
PASSED	3/25	X C			C
		C			C
Date Out		C			

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

LEGISLATIVE HISTORIES

The 1997 Montana Legislature dramatically changed the nature of legislative minutes. This altered format continues with the 1999 legislative minutes. The minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are fuller in content.

Exhibits, which include written statements, attendent information, roll call votes, roll call attendance, a list of those from the public who were present, and specific action taken on legislative bills, will be available only through the Historical Society Archives, 444-4774, and from a CD-ROM produced by the Legislative Services Division, 444-3064.

Just as in the 1997 legislative session, the 1999 House and Senate committee hearings were recorded. For information on accessing the tapes, or purchasing them, contact the Archives, 444-4774.

If you have concerns over the format of these legislative minutes, it is suggested that you contact your state legislators.

Montana Legislative Branch

Montana Legislature

Detailed Bill Information

1999 **Session**

| Top | Actions | Sponsor, etc. | Subjects | Add'l Bill Info | Eff. Dates | New Search |

Bill Draft Number: LC1437 Current Bill Text
Bill Type - Number: SB 269
Short Title: Revise and clarify county water and sewer project laws
Primary Sponsor: Daryl Toews

Bill Actions - Current Bill Progress: Became Law

Bill Action Count: 50

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	04/20/1999			
(S) Signed by Governor	04/19/1999			
(S) Transmitted to Governor	04/15/1999			
(H) Signed by Speaker	04/15/1999			
(S) Signed by President	04/14/1999			
(S) Returned from Enrolling	04/13/1999			
(C) Sent to Printing	04/13/1999			
(S) Sent to Enrolling	04/12/1999			
(S) 3rd Reading Passed as Amended by House	04/09/1999	50	0	
(S) Scheduled for 3rd Reading	04/09/1999			
(S) 2nd Reading House Amendments Concurred	04/08/1999	50	0	
(S) Scheduled for 2nd Reading	04/08/1999			
(S) Scheduled for 2nd Reading	04/07/1999			
(H) Returned to Senate with Amendments	03/31/1999			
(H) 3rd Reading Concurred	03/31/1999	88	12	
(H) Scheduled for 3rd Reading	03/31/1999			
(H) 2nd Reading Concurred	03/30/1999	87	9	
(H) Scheduled for 2nd Reading	03/30/1999			
(H) Scheduled for 2nd Reading	03/29/1999			
(C) Sent to Printing	03/26/1999			

(H) Committee Report--Bill Concurred as Amended	03/26/1999			(H) Local Government
(H) Committee Executive Action--Bill Concurred as Amended	03/26/1999	15	2	(H) Local Government
(H) Taken from Table in Committee	03/26/1999			(H) Local Government
(H) Tabled in Committee	03/24/1999			(H) Local Government
(H) Hearing	03/09/1999			(H) Local Government
(H) Referred to Committee	02/16/1999			(H) Local Government
(H) First Reading	02/16/1999			
(S) Transmitted to House	02/08/1999			
(S) 3rd Reading Passed	02/08/1999	48	0	
(S) Scheduled for 3rd Reading	02/08/1999			
(S) 2nd Reading Passed	02/06/1999	48	0	
(S) Scheduled for 2nd Reading	02/06/1999			
(S) Committee Report--Bill Passed	02/04/1999			(S) Local Government
(S) Committee Executive Action--Bill Passed	02/04/1999	11	0	(S) Local Government
(S) Hearing	01/28/1999			(S) Local Government
(C) Introduced Bill Text Available Electronically	01/23/1999			
(S) Referred to Committee	01/23/1999			(S) Local Government
(S) First Reading	01/23/1999			
(S) Introduced	01/23/1999			
(C) Draft Delivered to Requester	01/21/1999			
(C) Draft Ready for Delivery	01/21/1999			
(C) Draft in Assembly/Executive Director Review	01/21/1999			
(C) Draft in Final Drafter Review	01/21/1999			
(C) Bill Draft Text Available Electronically	01/21/1999			
(C) Draft in Input/Proofing	01/21/1999			
(C) Draft to Drafter/Edit Review (CAJ)	01/21/1999			
(C) Draft in Edit	01/21/1999			
(C) Draft in Legal Review	01/20/1999			
(C) Draft to Requester for Review	01/19/1999			
(C) Draft Request Received	12/31/1998			

AN ACT REVISING AND CLARIFYING THE LAWS RELATING TO THE FINANCE OF COUNTY WATER AND SEWER DISTRICTS; AUTHORIZING THE LEVYING OF SPECIAL ASSESSMENTS TO PAY COSTS OF IMPROVEMENTS; AMENDING SECTIONS 7-13-2221 AND 7-13-2301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-13-2221, MCA, is amended to read:

"**7-13-2221. Powers related to district finances.** Any district incorporated as provided in this part ~~shall have power to~~ may:

(1) accept funds and property or other assistance, financial or otherwise, from federal, state, and other public or private sources for the purposes of aiding the construction or maintenance of water or sewer development projects;

(2) cooperate and contract with the state or federal government or any department or agency ~~thereof~~ of the state or federal government in furnishing assurances for and meeting local cooperation requirements of any project involving control, conservation, and use of water;

(3) borrow money and incur indebtedness and issue bonds or other evidence of ~~such~~ indebtedness~~; also~~ and refund or retire any indebtedness or lien that may exist against the district or property ~~thereof~~ of the district;

(4) cause taxes to be levied in the manner provided for in ~~this part and~~ part 23 and this part for the purpose of paying any obligation of the district and to accomplish the purposes of ~~this part and~~ part 23 and this part in the manner provided in ~~this part and~~ part 23 and this part~~.~~;

(5) levy special assessments against property located in the district and benefited by any of its improvements, as provided in [sections 2 through 11], and pledge the collections of the special assessments in whole or in part, with any other revenue of the district, to the payment of bonds issued pursuant to part 23; and

(6) enter into covenants and agreements as to the establishment and maintenance of reasonable rates and charges for the use of its systems or improvements or any part of the systems or improvements as required, in the judgment of the board of directors, for the favorable sale of bonds issued pursuant to part 23, including, without limitation, a covenant to establish and maintain rates and charges sufficient, with the collection of any special assessments, to pay debt service and operating, maintenance, and replacement costs of the system or improvement and to fund necessary reserves or a covenant to establish and maintain rates and charges sufficient, with the collection of any special assessments, to pay operating and maintenance costs of the system or improvement, fund necessary reserves for the system or improvement, and pay debt service on bonds and to provide additional funds necessary for the purposes of the system or improvement or to provide assurance to the holders of bonds as to the sufficiency of the revenue."

Section 2. Levy of special assessments. (1) In lieu of imposing rates and charges to pay the capital costs of any improvement provided for in this part, a district may levy special assessments to defray the costs against property within the district and benefited by the improvement. The costs of the improvement may include the costs of issuance of any bonds issued to finance the improvement and any reserve securing payment of the bonds.

(2) The board of directors shall by resolution levy and assess upon all property in the district benefited by the improvement, by using for a basis for the assessment the method or methods provided for in 7-12-2151.

(3) The resolution must contain a description of each lot or parcel of land, with the name of the owner if known, and the amount of each assessment and the day when the assessment becomes delinquent.

(4) The resolution, signed by the presiding officer of the board of directors, must be kept on file in the office of the secretary.

Section 3. Notice of resolution for levy of assessment hearing. (1) A notice, signed by the secretary and stating that the resolution levying a special assessment to defray the cost of making the improvements is on file in the office of the secretary and is subject to inspection, must be:

(a) published as provided in 7-1-2121;

(b) mailed to the owner of each lot, tract, or parcel of land to be assessed (the lands must be identified and the mailing address determined from the last-completed assessment roll for state, county, and school district taxes); and

(c) mailed to any other persons known to the secretary to have an ownership interest in the property.

(2) The notice must state the time and place in which objections to the final adoption of the resolution will be heard by the board of directors. The time for the hearing may not be less than 5 days after the second publication or less than 10 days after the mailing of the notice.

Section 4. Hearing on assessment -- who considered owner -- sufficient protest to bar proceedings. (1) At the time fixed, the board of directors shall meet and hear all objections and for that purpose may adjourn from day to day.

(2) The board of directors may by resolution modify the assessment in whole or in part. A copy of the resolution, certified by the secretary, must be delivered to the county clerk and recorder of the county in which the lot, tract, or parcel is located within 2 days after passage of the resolution and not later than the July 15 preceding the county's next fiscal year.

(3) At any time within 30 days after the date of the first publication of the notice of proposed assessments, any owner of property to be assessed for the costs of making the improvements may make written protest against the levy of assessments. The protest must be in writing, identify the property in the district owned by the protestor, and be signed by all owners of the property. The protest must be delivered to the secretary of the district not later than 5 p.m. of the last day of the 30-day period provided for in this subsection. The secretary shall endorse the date and hour of receipt on the protest.

(4) If the board of directors finds that a protest with respect to the method or methods of assessment described in the resolution of intention is made by the owners of property in the district to be assessed for more than 50% of the cost of improvements, the board of directors may not use the method or methods of assessment described in the resolution of intention.

Section 5. Collection of assessments by county treasurer -- delinquencies. (1) When any

resolution of assessment has been certified by the secretary and the county clerk and recorder, it is the duty of the county treasurer in the county in which the lot, tract, or parcel is located, in accordance with the provisions of this title, to collect the assessment in the same manner and at the same time as taxes for general and municipal purposes are collected.

(2) When the payment of an installment of a special assessment becomes delinquent, all payments of subsequent installments of the special assessment may, at the option of the board of directors and upon adoption of the appropriate resolutions, become delinquent. Upon delinquency in one or all installments, the whole property must be sold the same as other property is sold for taxes. The enforcement of the lien of any installment of a special assessment by any method authorized by law does not prevent the enforcement of the lien of any subsequent installment when it becomes delinquent.

Section 6. Payment of assessment under protest -- action to recover. (1) When any special assessment levied and assessed under any of the provisions of this part is considered unlawful by the party whose property is assessed, the person may pay the assessment or any part of the assessment considered unlawful under protest to the county treasurer.

(2) After the payment, the party or the party's legal representative may bring an action in any court of competent jurisdiction against the officer to whom the assessment was paid or against the district on whose behalf the assessment was collected to recover the assessment or any portion of the assessment paid under protest. Any action instituted to recover the assessment paid under protest must be commenced within 60 days after the date of payment.

(3) The assessment paid under protest must be held by the county treasurer until the determination of any action brought for the recovery of the assessment.

Section 7. Procedure to correct assessment and to relevy. (1) Whenever, by reason of any alleged nonconformity to law or by reason of any omission or irregularity, any special assessment is either invalid or its validity is questioned, the board of directors may make all necessary orders and may take all necessary steps to correct, reassess, and relevy the assessment, including the ordering of the improvement, with the same force and effect as if made at the time provided by the law or resolution relating to the assessment. The board may reassess and relevy the assessment or tax with the same force

and effect as an original levy.

(2) Any special assessment, upon reassessment or relevy, must, so far as practicable, be levied and collected the same as it would have been if the first levy had been enforced. Any provision of any law specifying a time when or order in which acts must be done in a proceeding that may result in a special assessment is subject to the qualifications of this part.

(3) Whenever any assessment is made and any property is assessed too little or too much, the assessment may be corrected and reassessed for the additional amount that is proper or the assessment may be reduced, even to the extent of refunding the assessment collected.

Section 8. Certain errors not to invalidate assessments or liens. (1) When, under any of the provisions of this part, special assessments are assessed against any lot or parcel of land as the property of a particular person, a misnomer of the owner or supposed owner or other mistake relating to the ownership of the land may not affect the assessment or render it void or voidable.

(2) Any mistake in the description of property or the name of the owner may not vitiate any liens created by this part unless it is impossible to identify the property from the description.

Section 9. Term of payment of assessments. (1) The payment of the assessment to defray the cost of constructing any improvement may be spread over a term not to exceed 40 years.

(2) The assessments are payable in equal semiannual installments of principal, with interest on the unpaid installments, or, if the board of directors prescribes in the resolution levying the assessments, in equal semiannual installments of principal and interest, each in the amount required to pay the principal over the term of payment, with interest at the rate then borne by the assessment.

(3) Any assessment that is not delinquent may be prepaid, in whole but not in part, at any time after the assessment is levied, by the payment of the assessment, with interest accrued and to accrue on the assessment through the next date on which an installment of the assessment is otherwise payable.

Section 10. Interest rate on unpaid assessments. The installments of assessments remaining unpaid bear simple interest at an annual rate equal to:

(1) the sum of:

(a) the average interest rate payable on the outstanding bonds issued to finance the improvement in respect of which the special assessments are levied; plus

(b) additional interest at a rate to be determined by the board of directors, not exceeding 2% a year; or

(2) if bonds are not issued to finance the improvements, at an interest rate to be determined by the board of directors, but not to exceed 10% a year.

Section 11. Assessments and certain other charges as liens. Any special assessment made and levied to defray the cost and expenses of any improvement, together with any amounts imposed for delinquency and for cost of collection, constitutes a lien upon and against the property upon which the assessment is made and levied from and after the date of the passage of the resolution levying the assessment. This lien can be extinguished only by payment of the assessment, with all penalties, costs, and interest.

Section 12. Section 7-13-2301, MCA, is amended to read:

"**7-13-2301. Establishment of charges for services -- payment of charges.** (1) The board of directors shall fix all water and sewer rates and shall, through the general manager, collect the sewer charges and the charges for the sale and distribution of water to all users.

(2) The board, in furnishing water, sewer service, other services, and facilities, shall review, at least once every 2 years, and from time to time fix the rate, fee, toll, rent, or other charge for the services, facilities, and benefits directly afforded by the facilities, taking into account services provided and direct benefits received, that will be sufficient in each year to provide income and revenue adequate, with the collections of any special assessments levied pursuant to [sections 2 through 11] and appropriated, for:

(a) the payment of the reasonable expense of operation and maintenance of the facilities;

(b) administration of the district;

(c) the payment of principal and interest on any bonded or other indebtedness of the district; and

(d) the establishment or maintenance of any required reserves, including reserves needed for expenditures for depreciation and replacement of facilities, as may be determined necessary from time

to time by the board or as covenanted in the ordinance or resolution authorizing the outstanding bonds of the district.

(3) A person or entity may not use any facility without paying the rate established for the facility. In the event of nonpayment, the board may order the discontinuance of water or sewer service, or both, to the property and may require that all delinquent charges, interest, penalties, and deposits be paid before restoration of the service.

(4) (a) If the board has ordered discontinuance of service as provided in subsection (3) and the person or entity who received the service has not made full payment of all delinquent charges, interest, penalties, and deposits, then a district may elect to have its delinquent charges for water or sewer services collected as a tax against the property by following the procedures of this subsection (4). If a charge for services is due and payable in a fiscal year and is not paid by the end of the fiscal year, the general manager shall, by July 15 of the succeeding fiscal year, give notice to the owners of the property to which the service was provided. The notice must be in writing and:

(i) must specify the charges owed, including any interest and penalty;

(ii) must specify that the amount due must be paid by August 15 or it will be levied as a tax against the property;

(iii) must state that the district may institute suit in any court of competent jurisdiction to recover the amount due; and

(iv) may be served on the owner personally or by letter addressed to the post-office address of the owner as recorded in the county assessor's office.

(b) On September 1 of each year, the general manager shall certify and file with the county assessor a list of all property, including legal descriptions, on which arrearages remain unpaid. The list must include the amount of each arrearage, including interest and penalty. The county assessor shall assess the amount owed as a tax against each lot or parcel with an arrearage. If the property on which arrearages remain unpaid contains a mobile home, the amount owed must be assessed as a tax against the owner of the mobile home. If the mobile home for which arrearages remain unpaid is no longer on the property, the amount owed must be assessed as a tax against the property.

(5) In addition to collecting delinquent charges in the same manner as a tax, a district may bring suit in any court of competent jurisdiction to collect amounts due as a debt owed to the district.

(6) Notwithstanding any other section of part 22 or this part or any limitation imposed in part 22 or this part, when the board has applied for and received from the federal government any money for the construction, operation, and maintenance of facilities, the board may adopt a system of charges and rates to require that each recipient of facility services pays its proportionate share of the costs of operation, maintenance, and replacement and may require industrial users of facilities to pay the portion of the cost of construction of the facilities that is allocable to the treatment of that industrial user's wastes."

Section 13. Codification instruction. [Sections 2 through 11] are intended to be codified as an integral part of Title 7, chapter 13, part 22, and the provisions of Title 7, chapter 13, part 22, apply to [sections 2 through 11].

Section 14. Effective date. [This act] is effective on passage and approval.

- END -

MINUTES

MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN MIKE SPRAGUE**, on January 28, 1999 at 3:00 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Mike Sprague, Chairman (R)
Sen. Ken Miller, Vice Chairman (R)
Sen. John C. Bohlinger (R)
Sen. Chris Christiaens (D)
Sen. Dorothy Eck (D)
Sen. Bill Glaser (R)
Sen. Duane Grimes (R)
Sen. Don Hargrove (R)
Sen. J.D. Lynch (D)
Sen. Dale Mahlum (R)
Sen. Jon Tester (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jodi Pauley, Committee Secretary
Mary Vandenbosch, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 233, 1/25/1999; SB 239, 1/25/1999; SB 269, 1/25/1999
Executive Action: SB 142; SB 225; SB 226; SB 214; SB 74

HEARING ON SB 269

Sponsor: **SEN. DARYL TOEWS, SD 48, LUSTRE**

Proponents:

Mae Nan Ellingson, Dorsey and Whitney
Gene Alsberg, Fort Peck Water District
John Tubbs, Department of Natural Resources
Lucy Gallus, MT Rural Water Systems Inc.
Bill Leonard, Midwest Assistance Program
Joe Yeoman, Self

Opponents: None

Opening Statement by Sponsor:

SEN. DARYL TOEWS, SD 48, LUSTRE, said they have a water problem around Fort Peck Lake concerning wells and good water. Last session they formed a water district, but now they have no way to pay for the bonds.

Proponents' Testimony:

Mae Nan Ellingson, Dorsey and Whitney, said they are trying to figure out a way to finance their local share of the cost to establish this water system. Fort Peck water district knows that they cannot incur any indebtedness unless they have an election. Right now they have two options for financing their share of the capital costs of this system. One is by issuing general obligation bonds and the other is a revenue bond. They both have to be voted on. This bill will give them a third option which would allow them to repay the obligation through the imposition of special assessments. If it is done on a general obligation bond the theory is they want to have everyone pay for the improvement. She referred to the tax assessment sheet for Fort Peck. **EXHIBIT(los22a01)** This bill would give them the option that a county has in creating a Rural Special Improvement District (RSID). This would enable them to put an equal assessment for the cost of water against all similar property. This is only to pay for the capital cost of the system, the users will still pay the cost of usage. The bonds will be clearly stated as to what they will be used for and how they will be paid for on the ballot at election time. They will also have a public hearing.
Gene Alsberg, Fort Peck Water District, referred to the tax assessment sheet for Fort Peck. **EXHIBIT (1)**

John Tubbs, Department of Natural Resources, said they have struggled with how to get some equity between property owners and this bill will help this.

Lucy Gallus, MT Rural Water Systems Inc., handed in a letter of support for **SB 269. EXHIBIT(los22a02)**

Bill Leonard, Midwest Assistance Program, handed in a letter of support for **SB 269. EXHIBIT(los22a03)**

Joe Yeoman, Self, handed in testimony in support of **SB 269. EXHIBIT(los22a04)**

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. CHRIS CHRISTIAENS asked if any of this had been eligible for or looked at by the Treasure State Endowment or Long Range Building committee. **John Tubbs** said they have a $500,000 grant pending. They have also received a federal appropriation for development. They need the loan as a final component of the funding package.

SEN. CHRISTIAENS said what does the total package involve. **John Tubbs** said it is a special project and the total cost is around $5,500,000. Most of the money will go to the federal appropriation but $500,000 will go to the Treasure State Endowment program and about $1.3 Million will go to a Special Resource Fund.

SEN. DOROTHY ECK asked how are they going to make the assessment. **Mae Nan Ellingson** referred to page 2, section 2 and explained. This is the same as the county RSID law and they would have the option of assesses on an equal basis, on a square footage of lot basis, lineal front footage basis, lump sum, and an assessable evaluation.

SEN. ECK asked if this gives them the authority to determine how they will do the assessments. **Mae Nan Ellingson** said under the previous law they have had the water districts go to the county and get them to create an RSID. This would still be an option here, but everyone felt rather than having government involved let them do the assessments themselves.

SEN. ECK asked about the charges for services, is it going to be charged according to volume or what method. **Mae Nan Ellingson** said this would be metered.

CHAIRMAN MIKE SPRAGUE asked how general obligation bonds go to an election. **Mae Nan Ellingson** said county water and sewer districts by law now can only incur indebtedness by a vote. The change here

would not change that in any way. This only changes the method in which they repay it.

Closing by Sponsor:

SEN. TOEWS said Fort Peck is not the only area in which they are having problems, this is a statewide problem.

{Tape : 1; Side : A; Approx. Time Counter : 3:20 p.m.}

HEARING ON SB 233

Sponsor: **SEN. JOHN BOHLINGER, SD 7, BILLINGS**

Proponents:

Dennis Paxinos, Yellowstone Co. Attorney
Joe Mazurek, MT Attorney General's Office
Bob McCarthy, Butte-Silver Bow Co. Attorney
Mary Phippen, MT Assn. of Clerk and Recorders

Opponents:

Gordon Morris, MACo

Opening Statement by Sponsor:

SEN. JOHN BOHLINGER, SD 7, BILLINGS, opened on **SB 233.**
EXHIBIT(los22a05)
He passed out some proposed amendments. **EXHIBIT(los22a06)**

Proponents' Testimony:

Dennis Paxinos, Yellowstone Co. Attorney, said this bill will have no impact on state or county budgets. He discussed the longevity pay that sheriffs receive. In 1985 the county attorneys passed longevity pay for deputy County Attorneys to try and help them stay on the job. They put in a surcharge on every criminal conviction. And that surcharge was to be used for the longevity pay of deputy County Attorney's. This money was supposed to be split between the state and county, but when the money was sent to the state the counties never got any money back. They paid for their deputies from district court convictions. The state for the last 12 years has been reaping the benefits of this. They want to recognize County Attorney under the same parameters as deputy attorneys. He used the example of if he worked for 11 years, he would get an additional $5500, half from the state and the other half from the county. Right now there is $3.6 million in the state fund from Justice court to pay for this. He said in the

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 1
DATE 1/28/99
BILL NO. SB 269

DRAFT

Fort Peck Rural County Water District

Individual Tax Assessments
20 Year, General Obligation Bond

Total Annual Debt Retirement= $ 87,809
Total Taxable Value of District= $ 211,000

	Total Taxable Value For Landowner	Annual Assessment	Monthly Debt Repayment	1] % of Users In Rate Increment
1	$ 8,133	$ 3,384.60	$ 282.05	
2	$ 4,524	$ 1,882.69	$ 156.89	
3	$ 3,575	$ 1,487.76	$ 123.98	
4	$ 3,526	$ 1,467.37	$ 122.28	
5	$ 3,226	$ 1,342.52	$ 111.88	
6	$ 3,226	$ 1,342.52	$ 111.88	
7	$ 3,178	$ 1,322.55	$ 110.21	3.8%
8	$ 2,863	$ 1,191.46	$ 99.29	
9	$ 2,744	$ 1,141.93	$ 95.16	
10	$ 2,635	$ 1,096.57	$ 91.38	
11	$ 2,543	$ 1,058.29	$ 88.19	
12	$ 2,509	$ 1,044.14	$ 87.01	
13	$ 2,438	$ 1,014.59	$ 84.55	
14	$ 2,350	$ 977.97	$ 81.50	
15	$ 2,307	$ 960.07	$ 80.01	4.3%
16	$ 2,238	$ 931.36	$ 77.61	
17	$ 2,219	$ 923.45	$ 76.95	
18	$ 2,205	$ 917.62	$ 76.47	
19	$ 2,097	$ 872.68	$ 72.72	
20	$ 2,045	$ 851.04	$ 70.92	
21	$ 2,023	$ 841.88	$ 70.16	
22	$ 1,908	$ 794.03	$ 66.17	
23	$ 1,899	$ 790.28	$ 65.86	
24	$ 1,858	$ 773.22	$ 64.43	
25	$ 1,777	$ 739.51	$ 61.63	
26	$ 1,758	$ 731.60	$ 60.97	5.9%
27	$ 1,694	$ 704.97	$ 58.75	
28	$ 1,604	$ 667.51	$ 55.63	
29	$ 1,596	$ 664.19	$ 55.35	
30	$ 1,585	$ 659.61	$ 54.97	
31	$ 1,548	$ 644.21	$ 53.68	
32	$ 1,536	$ 639.22	$ 53.27	
33	$ 1,482	$ 616.74	$ 51.40	
34	$ 1,479	$ 615.50	$ 51.29	
35	$ 1,463	$ 608.84	$ 50.74	4.8%
36	$ 1,418	$ 590.11	$ 49.18	
37	$ 1,410	$ 586.78	$ 48.90	
38	$ 1,387	$ 577.21	$ 48.10	
39	$ 1,382	$ 575.13	$ 47.93	
40	$ 1,373	$ 571.38	$ 47.62	

	Total Taxable Value For Landowner	Annual Assessment	Monthly Debt Repayment	1] % of Users In Rate Increment
41	$ 1,372	$ 570.97	$ 47.58	
42	$ 1,349	$ 561.39	$ 46.78	
43	$ 1,336	$ 555.98	$ 46.33	
44	$ 1,317	$ 548.08	$ 45.67	
45	$ 1,300	$ 541.00	$ 45.08	
46	$ 1,277	$ 531.43	$ 44.29	
47	$ 1,266	$ 526.85	$ 43.90	
48	$ 1,227	$ 510.62	$ 42.55	
49	$ 1,214	$ 505.21	$ 42.10	
50	$ 1,205	$ 501.47	$ 41.79	
51	$ 1,204	$ 501.05	$ 41.75	
52	$ 1,202	$ 500.22	$ 41.68	
53	$ 1,199	$ 498.97	$ 41.58	
54	$ 1,194	$ 496.89	$ 41.41	
55	$ 1,189	$ 494.81	$ 41.23	
56	$ 1,173	$ 488.15	$ 40.68	
57	$ 1,165	$ 484.82	$ 40.40	11.8%
58	$ 1,114	$ 463.60	$ 38.63	
59	$ 1,093	$ 454.86	$ 37.90	
60	$ 1,089	$ 453.19	$ 37.77	
61	$ 1,087	$ 452.36	$ 37.70	
62	$ 1,084	$ 451.11	$ 37.59	
63	$ 1,065	$ 443.21	$ 36.93	
64	$ 1,059	$ 440.71	$ 36.73	
65	$ 1,049	$ 436.55	$ 36.38	
66	$ 1,047	$ 435.72	$ 36.31	
67	$ 1,047	$ 435.72	$ 36.31	
68	$ 1,030	$ 428.64	$ 35.72	
69	$ 1,023	$ 425.73	$ 35.48	
70	$ 1,018	$ 423.65	$ 35.30	
71	$ 1,009	$ 419.90	$ 34.99	
72	$ 1,008	$ 419.49	$ 34.96	
73	$ 1,003	$ 417.40	$ 34.78	
74	$ 972	$ 404.50	$ 33.71	
75	$ 939	$ 390.77	$ 32.56	
76	$ 937	$ 389.94	$ 32.49	
77	$ 937	$ 389.94	$ 32.49	
78	$ 936	$ 389.52	$ 32.46	
79	$ 931	$ 387.44	$ 32.29	
80	$ 918	$ 382.03	$ 31.84	
81	$ 899	$ 374.12	$ 31.18	
82	$ 898	$ 373.71	$ 31.14	
83	$ 895	$ 372.46	$ 31.04	
84	$ 868	$ 361.22	$ 30.10	14.5%
85	$ 861	$ 358.31	$ 29.86	
86	$ 841	$ 349.99	$ 29.17	
87	$ 839	$ 349.16	$ 29.10	
88	$ 837	$ 348.32	$ 29.03	
89	$ 835	$ 347.49	$ 28.96	
90	$ 822	$ 342.08	$ 28.51	

	Total Taxable Value For Landowner	Annual Assessment	Monthly Debt Repayment	1] % of Users In Rate Increment
91	$ 801	$ 333.34	$ 27.78	
92	$ 784	$ 326.27	$ 27.19	
93	$ 779	$ 324.19	$ 27.02	
94	$ 758	$ 315.45	$ 26.29	
95	$ 745	$ 310.04	$ 25.84	
96	$ 742	$ 308.79	$ 25.73	
97	$ 720	$ 299.63	$ 24.97	
98	$ 719	$ 299.22	$ 24.93	
99	$ 717	$ 298.38	$ 24.87	
100	$ 717	$ 298.38	$ 24.87	
101	$ 703	$ 292.56	$ 24.38	
102	$ 697	$ 290.06	$ 24.17	
103	$ 695	$ 289.23	$ 24.10	
104	$ 689	$ 286.73	$ 23.89	
105	$ 686	$ 285.48	$ 23.79	
106	$ 682	$ 283.82	$ 23.65	
107	$ 680	$ 282.99	$ 23.58	
108	$ 674	$ 280.49	$ 23.37	
109	$ 670	$ 278.82	$ 23.24	
110	$ 665	$ 276.74	$ 23.06	
111	$ 663	$ 275.91	$ 22.99	
112	$ 651	$ 270.92	$ 22.58	
113	$ 648	$ 269.67	$ 22.47	
114	$ 645	$ 268.42	$ 22.37	
115	$ 642	$ 267.17	$ 22.26	
116	$ 641	$ 266.76	$ 22.23	
117	$ 640	$ 266.34	$ 22.20	
118	$ 638	$ 265.51	$ 22.13	
119	$ 635	$ 264.26	$ 22.02	
120	$ 628	$ 261.35	$ 21.78	
121	$ 627	$ 260.93	$ 21.74	
122	$ 626	$ 260.51	$ 21.71	
123	$ 622	$ 258.85	$ 21.57	
124	$ 613	$ 255.10	$ 21.26	
125	$ 611	$ 254.27	$ 21.19	
126	$ 609	$ 253.44	$ 21.12	
127	$ 594	$ 247.20	$ 20.60	
128	$ 589	$ 245.12	$ 20.43	
129	$ 581	$ 241.79	$ 20.15	24.2%
130	$ 574	$ 238.87	$ 19.91	
131	$ 550	$ 228.89	$ 19.07	
132	$ 549	$ 228.47	$ 19.04	
133	$ 543	$ 225.97	$ 18.83	
134	$ 538	$ 223.89	$ 18.66	
135	$ 533	$ 221.81	$ 18.48	
136	$ 530	$ 220.56	$ 18.38	
137	$ 524	$ 218.07	$ 18.17	
138	$ 522	$ 217.23	$ 18.10	
139	$ 518	$ 215.57	$ 17.96	
140	$ 514	$ 213.90	$ 17.83	
141	$ 506	$ 210.58	$ 17.55	

	Total Taxable Value For Landowner	Annual Assessment	Monthly Debt Repayment	1] % of Users In Rate Increment
142	$ 499	$ 207.66	$ 17.31	
143	$ 493	$ 205.17	$ 17.10	
144	$ 490	$ 203.92	$ 16.99	
145	$ 488	$ 203.08	$ 16.92	
146	$ 483	$ 201.00	$ 16.75	
147	$ 471	$ 196.01	$ 16.33	
148	$ 468	$ 194.76	$ 16.23	
149	$ 466	$ 193.93	$ 16.16	
150	$ 444	$ 184.77	$ 15.40	
151	$ 443	$ 184.36	$ 15.36	
152	$ 443	$ 184.36	$ 15.36	
153	$ 441	$ 183.52	$ 15.29	
154	$ 437	$ 181.86	$ 15.16	
155	$ 433	$ 180.20	$ 15.02	
156	$ 426	$ 177.28	$ 14.77	
157	$ 424	$ 176.45	$ 14.70	
158	$ 424	$ 176.45	$ 14.70	
159	$ 421	$ 175.20	$ 14.60	
160	$ 419	$ 174.37	$ 14.53	
161	$ 417	$ 173.54	$ 14.46	
162	$ 415	$ 172.70	$ 14.39	
163	$ 413	$ 171.87	$ 14.32	
164	$ 409	$ 170.21	$ 14.18	
165	$ 406	$ 168.96	$ 14.08	
166	$ 405	$ 168.54	$ 14.05	
167	$ 401	$ 166.88	$ 13.91	
168	$ 391	$ 162.72	$ 13.56	
169	$ 389	$ 161.88	$ 13.49	
170	$ 382	$ 158.97	$ 13.25	
171	$ 372	$ 154.81	$ 12.90	
172	$ 366	$ 152.31	$ 12.69	
173	$ 365	$ 151.90	$ 12.66	
174	$ 364	$ 151.48	$ 12.62	
175	$ 360	$ 149.82	$ 12.48	
176	$ 351	$ 146.07	$ 12.17	
177	$ 341	$ 141.91	$ 11.83	
178	$ 332	$ 138.16	$ 11.51	
179	$ 324	$ 134.83	$ 11.24	
180	$ 323	$ 134.42	$ 11.20	
181	$ 317	$ 131.92	$ 10.99	
182	$ 306	$ 127.34	$ 10.61	
183	$ 304	$ 126.51	$ 10.54	
184	$ 297	$ 123.60	$ 10.30	
185	$ 293	$ 121.93	$ 10.16	
186	$ 293	$ 121.93	$ 10.16	30.6%
187	$ 283	$ 117.77	$ 9.81	
188	$ 278	$ 115.69	$ 9.64	
189	$ 267	$ 111.11	$ 9.26	
190	$ 262	$ 109.03	$ 9.09	
191	$ 254	$ 105.70	$ 8.81	

	Total Taxable Value For Landowner	Annual Assessment	Monthly Debt Repayment	1] % of Users In Rate Increment
192	$ 252	$ 104.87	$ 8.74	
193	$ 246	$ 102.37	$ 8.53	
194	$ 246	$ 102.37	$ 8.53	
195	$ 239	$ 99.46	$ 8.29	
196	$ 233	$ 96.96	$ 8.08	
197	$ 231	$ 96.13	$ 8.01	
198	$ 228	$ 94.88	$ 7.91	
199	$ 218	$ 90.72	$ 7.56	
200	$ 213	$ 88.64	$ 7.39	
201	$ 210	$ 87.39	$ 7.28	
202	$ 204	$ 84.90	$ 7.07	
203	$ 200	$ 83.23	$ 6.94	
204	$ 200	$ 83.23	$ 6.94	
205	$ 197	$ 81.98	$ 6.83	
206	$ 195	$ 81.15	$ 6.76	
207	$ 186	$ 77.41	$ 6.45	
208	$ 177	$ 73.66	$ 6.14	
209	$ 174	$ 72.41	$ 6.03	
210	$ 169	$ 70.33	$ 5.86	
211	$ 168	$ 69.91	$ 5.83	
212	$ 164	$ 68.25	$ 5.69	
213	$ 162	$ 67.42	$ 5.62	
214	$ 159	$ 66.17	$ 5.51	
215	$ 159	$ 66.17	$ 5.51	
216	$ 159	$ 66.17	$ 5.51	
217	$ 159	$ 66.17	$ 5.51	
218	$ 158	$ 65.75	$ 5.48	
219	$ 156	$ 64.92	$ 5.41	
220	$ 155	$ 64.50	$ 5.38	
221	$ 154	$ 64.09	$ 5.34	
222	$ 153	$ 63.67	$ 5.31	
223	$ 151	$ 62.84	$ 5.24	
224	$ 144	$ 59.93	$ 4.99	
225	$ 137	$ 57.01	$ 4.75	
226	$ 136	$ 56.60	$ 4.72	
227	$ 131	$ 54.52	$ 4.54	
228	$ 131	$ 54.52	$ 4.54	
229	$ 129	$ 53.68	$ 4.47	
230	$ 123	$ 51.19	$ 4.27	
231	$ 111	$ 46.19	$ 3.85	
232	$ 111	$ 46.19	$ 3.85	
233	$ 109	$ 45.36	$ 3.78	
234	$ 109	$ 45.36	$ 3.78	
235	$ 107	$ 44.53	$ 3.71	
236	$ 106	$ 44.11	$ 3.68	
237	$ 106	$ 44.11	$ 3.68	
238	$ 106	$ 44.11	$ 3.68	
239	$ 106	$ 44.11	$ 3.68	
240	$ 106	$ 44.11	$ 3.68	
241	$ 106	$ 44.11	$ 3.68	
242	$ 106	$ 44.11	$ 3.68	

	Total Taxable Value For Landowner	Annual Assessment	Monthly Debt Repayment	1] % of Users In Rate Increment
243	$ 106	$ 44.11	$ 3.68	
244	$ 106	$ 44.11	$ 3.68	
245	$ 106	$ 44.11	$ 3.68	
246	$ 106	$ 44.11	$ 3.68	
247	$ 105	$ 43.70	$ 3.64	
248	$ 104	$ 43.28	$ 3.61	
249	$ 103	$ 42.86	$ 3.57	
250	$ 87	$ 36.21	$ 3.02	
251	$ 86	$ 35.79	$ 2.98	
252	$ 84	$ 34.96	$ 2.91	
253	$ 80	$ 33.29	$ 2.77	
254	$ 80	$ 33.29	$ 2.77	
255	$ 79	$ 32.88	$ 2.74	
256	$ 79	$ 32.88	$ 2.74	
257	$ 72	$ 29.96	$ 2.50	
258	$ 71	$ 29.55	$ 2.46	
259	$ 69	$ 28.71	$ 2.39	
260	$ 67	$ 27.88	$ 2.32	
261	$ 65	$ 27.05	$ 2.25	
262	$ 65	$ 27.05	$ 2.25	
263	$ 65	$ 27.05	$ 2.25	
264	$ 65	$ 27.05	$ 2.25	
265	$ 65	$ 27.05	$ 2.25	
266	$ 65	$ 27.05	$ 2.25	
267	$ 65	$ 27.05	$ 2.25	
268	$ 65	$ 27.05	$ 2.25	
269	$ 64	$ 26.63	$ 2.22	
270	$ 59	$ 24.55	$ 2.05	
271	$ 57	$ 23.72	$ 1.98	
272	$ 55	$ 22.89	$ 1.91	
273	$ 55	$ 22.89	$ 1.91	
274	$ 55	$ 22.89	$ 1.91	
275	$ 55	$ 22.89	$ 1.91	
276	$ 55	$ 22.89	$ 1.91	
277	$ 54	$ 22.47	$ 1.87	
278	$ 53	$ 22.06	$ 1.84	
279	$ 53	$ 22.06	$ 1.84	
280	$ 53	$ 22.06	$ 1.84	
281	$ 53	$ 22.06	$ 1.84	
282	$ 53	$ 22.06	$ 1.84	
283	$ 53	$ 22.06	$ 1.84	
284	$ 53	$ 22.06	$ 1.84	
285	$ 53	$ 22.06	$ 1.84	
286	$ 53	$ 22.06	$ 1.84	
287	$ 53	$ 22.06	$ 1.84	
288	$ 53	$ 22.06	$ 1.84	
289	$ 53	$ 22.06	$ 1.84	
290	$ 53	$ 22.06	$ 1.84	
291	$ 53	$ 22.06	$ 1.84	
292	$ 53	$ 22.06	$ 1.84	
293	$ 53	$ 22.06	$ 1.84	

	Total Taxable Value For Landowner	Annual Assessment	Monthly Debt Repayment	1] % of Users In Rate Increment
294	$ 53	$ 22.06	$ 1.84	
295	$ 53	$ 22.06	$ 1.84	
296	$ 53	$ 22.06	$ 1.84	
297	$ 53	$ 22.06	$ 1.84	
298	$ 53	$ 22.06	$ 1.84	
299	$ 53	$ 22.06	$ 1.84	
300	$ 53	$ 22.06	$ 1.84	
301	$ 52	$ 21.64	$ 1.80	
302	$ 50	$ 20.81	$ 1.73	
303	$ 49	$ 20.39	$ 1.70	
304	$ 48	$ 19.98	$ 1.66	
305	$ 46	$ 19.14	$ 1.60	
306	$ 38	$ 15.81	$ 1.32	
307	$ 37	$ 15.40	$ 1.28	
308	$ 36	$ 14.98	$ 1.25	
309	$ 36	$ 14.98	$ 1.25	
310	$ 36	$ 14.98	$ 1.25	
311	$ 36	$ 14.98	$ 1.25	
312	$ 36	$ 14.98	$ 1.25	
313	$ 32	$ 13.32	$ 1.11	
314	$ 31	$ 12.90	$ 1.08	
315	$ 29	$ 12.07	$ 1.01	
316	$ 28	$ 11.65	$ 0.97	
317	$ 28	$ 11.65	$ 0.97	
318	$ 26	$ 10.82	$ 0.90	
319	$ 24	$ 9.99	$ 0.83	
320	$ 24	$ 9.99	$ 0.83	
321	$ 24	$ 9.99	$ 0.83	
322	$ 13	$ 5.41	$ 0.45	
323	$ 13	$ 5.41	$ 0.45	
324	$ 12	$ 4.99	$ 0.42	
325	$ 6	$ 2.50	$ 0.21	
326	$ 6	$ 2.50	$ 0.21	
327	$ 6	$ 2.50	$ 0.21	
328	$ 6	$ 2.50	$ 0.21	
329	$ 6	$ 2.50	$ 0.21	
330	$ 6	$ 2.50	$ 0.21	
331	$ 3	$ 1.25	$ 0.10	

Total Taxable Value= $ 211,000

1] Percentages do not include the assessments less than $10; Percentages are thus conservatively high.

2

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 2
DATE 1/28/99
BILL NO. SB 269

TO: Members of Senate Local Government Committee

FROM: Lucy Gallus, Montana Rural Water Systems, Inc.

RE: Support of Senate Bill 269

DATE: January 28, 1999

Mr. Chairman and members of the committee, Montana Rural Water Systems, Incorporated urges your support of Senate Bill 269. We feel this bill is a necessary measure to ensure that rural water systems have the ability to fund needed improvements. We thank you for your consideration of this important bill.

CC: Senator Mike Sprague, Chairman
Senator Ken Miller, Vice Chairman
Senator John Bohlinger
Senator Chris Christiaens
Senator Dorothy Eck
Senator Bill Glaser
Senator Duane Grimes
Senator Don Hargrove
Senator J.D. Lynch
Senator Dale Mahlum

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 3
DATE 1/28/99
BILL NO. SB269

MAP inc.
Midwest Assistance Program

Field Office P.O. Box 1456 Whitefish, MT 59937 406/863-4900
Fax: 406/863-4809

DATE: January 27, 1999

TO: Senator Sprague and Committee Members
Senate Committee on Local Government

FROM: Bill Leonard, Midwest Assistance Program
Rural Development Specialist

RE: SB 269

The not-for-profit firm for which I work, Midwest Assistance Program, gives technical assistance to dozens of small, rural Montana communities each year. I understand the problems faced by Water and Sewer District Boards very well. Additionally, I am the General Manager of the Whitefish County Water and Sewer District.

Senate Bill 269 will enable Water and Sewer Districts to continue to provide essential services, and improve on those services, assessing the costs on some basis other than users and *ad valorem* tax. Districts across the state have been less than totally effective in improving their facilities because of the unreasonable limitations under which the cost of capital improvements could be assessed. SB 269 allows for a broader, much more equitable basis of assessing costs of improvements.

Senate Bill 269 is a good bill for Montana's hundred-plus Water and Sewer Districts; a good bill for rural Montana.

Senate Bill 269

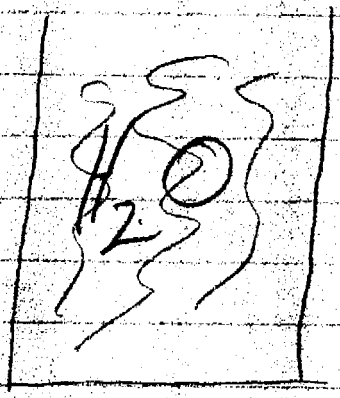
28 JAN 1999

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 4

DATE 1/28/99

BILL NO. SB 269



What is this worth? This should be worth the same to everyone.

With Senate Bill 269 we are trying to make it where all people pay equilly for their class of water

In our District we have different class of property. Some are homes on Corp. of Engineer lands and some are homes on privit property. All have varing price tags

We feel water has the same value to all people for home use.

We hope that this bill will allow us to build a system where everyone pays the same for construction, and everyone pays for what they use

Sincerely

Joe Yeoman

Joe Yeoman

Glasgow, MT.

MONTANA SENATE
1999 LEGISLATURE
LOCAL GOVERNMENT COMMITTEE

ROLL CALL DATE 1/28/99

NAME	PRESENT	ABSENT	EXCUSED
SEN. JOHN BOHLINGER	X		
SEN. CHRIS CHRISTIAENS	X		
SEN. DOROTHY ECK	X		
SEN. BILL GLASER	X		
SEN. DUANE GRIMES	X		
SEN. DON HARGROVE	X		
SEN. J. D. LYNCH	X		
SEN. DALE MAHLUM	X		
SEN. JON TESTER	X		
SEN. KEN MILLER, VICE CHAIRMAN	X		
SEN. MIKE SPRAGUE, CHAIRMAN	X		

DATE 1/28/99

SENATE COMMITTEE ON Local Govt.

BILLS BEING HEARD TODAY: SB 269, SB 233, SB 239

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Mary Phiffen	406 261-9622	Mt. Assn. of Clerks of District Ct.	SB233	X	
Lucy Hansen-Galles	443-8084	Mt. Rural Water Systems	SB 269	X	
Bobby Broadaway	965-3944	Sun Prairie Village Water & Sewer	SB 269	X	
Dan Stansberry	965-3505	" " "	SB 269	X	
MaeNan Ellingson	721-6025	Dierssen & Wheeler	SB 269	X	
Gene Ashley	406-538-3579	FT Peck Water dist	269	~	
Larry DuBeau	406 526 3553	FT Peck water dist	269	Y	
Burt Johnston	406 367-5181	FT Peck Water Dist	269	Y	
Bill Lennon	406 862 3490	Wildwest Asst. Programs	269	X	
Dennis Taxinos	256-2870	Yellowstone Co + MT Co Partnership	233	X	
Gordon Morris		MACo	233		X
Mike Eve	278-3623	Northern MT Joint Refuse Disposal District	239	X	
Robert McCarthy	723-8262	Butte-Silver Bow County	233	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE 1/28/99

SENATE COMMITTEE ON Local Govt

BILLS BEING HEARD TODAY: SB 269 SB 233, SB 239

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Gordon Morris		MACo	269 239	✓	
John Lutz		DNRC	269	✓	
Karen Munro		Justice - ~~Education~~	233	INFO	
Joe Mazurek		AG	233	✓	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

LEGISLATIVE TAPE LOG

COMMITTEE: Sen. Local Govt

DATE: 1-28-99

MINUTES	CONTENT NOTES
3:20-3:20	Hearing on SB 269, Sen Daryl Toews, SD 48 Lustre. Proponents testimony. Questions from committee & Closing
3:20-3:42	Hearing on SB 233, Sen. John Bohlinger, SD 7, Billings. Proponents: Dennis Paxinos
3:42-3:55	Proponents and opponents testimony
3:55-4:15	Questions from committee
4:15-4:35	Questions from committee & Closing
4:35-4:53	Hearing on SB 239, Sen. Glenn Roush, SD 43, Cut Bank: Proponents, Questions from committee, Closing
4:53-5:24	Executive Action on SB 142, amendments SB 142 DPAA; SB 225 DP; SB 226 DP; SB 214 DP; SB 74-Discussion
5:24-5:50	Ex. Action SB 74-Discussion - DPAA

MINUTES

MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **SEN. DALE MAHLUM**, on February 2, 1999 at 3:10 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Mike Sprague, Chairman (R)
Sen. Ken Miller, Vice Chairman (R)
Sen. John C. Bohlinger (R)
Sen. Chris Christiaens (D)
Sen. Dorothy Eck (D)
Sen. Bill Glaser (R)
Sen. Duane Grimes (R)
Sen. Don Hargrove (R)
Sen. J.D. Lynch (D)
Sen. Dale Mahlum (R)
Sen. Jon Tester (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jodi Pauley, Committee Secretary
Mary Vandenbosch, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 264, 1/29/1999; SJR 7, 1/29/1999
Executive Action: SB 269; SB 233; SJR 7

HEARING ON SB 264

Sponsor: SEN. PETE EKEGREN, SD 44, CHOTEAU

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. DUANE GRIMES asked if they had any results from other cities in which similar things had been done. **SEN. BOHLINGER** said he had some information from communities that have railroads and how they are affected.

SEN. DON HARGROVE asked if anyone had talked to Washington or the Federal Government about this proposal. **SEN. BOHLINGER** said he had not visited with the Washington Delegation. This came from his neighborhood task force.

SEN. HARGROVE asked if the Western Transportation Institute has federal grants and helps with these types of situations? **Pat Keim** said he didn't know if that was the name of the institution, but there are organizations that help with these grants, etc. He said they haven't talked with these organizations yet. **Pat Saindon, MT Department of Transportation,** said the Western Transportation Institute does exist, it is a joint research organization and they help with transportation studies.

SEN. SPRAGUE read line 30, page 1, and does this raise a problem with prioritizing funding. **Jani McCall** said they support this resolution, but not the funding of it. The reason is that the City of Billings has several priorities in terms of transportation, etc.

Closing by Sponsor:

SEN. BOHLINGER said the railroad has created employment, tax base, etc. The city worries about funding these transportation problems. The railroads are in support of this as they also see a need to fix this problem.

{Tape : 1; Side : B; Approx. Time Counter : 4:20 p.m.}

CHAIRMAN SPRAGUE took over the chair.

EXECUTIVE ACTION ON SB 269

Motion/Vote: **SEN. GLASER** moved that **SB 269 DO PASS. Motion carried unanimously.**

MONTANA SENATE
1999 LEGISLATURE
LOCAL GOVERNMENT COMMITTEE

ROLL CALL DATE 2/2/99

NAME	PRESENT	ABSENT	EXCUSED
SEN. JOHN BOHLINGER	X		
SEN. CHRIS CHRISTIAENS	X		
SEN. DOROTHY ECK	X		
SEN. BILL GLASER	X		
SEN. DUANE GRIMES	X		
SEN. DON HARGROVE	X		
SEN. J. D. LYNCH	X		
SEN. DALE MAHLUM	X		
SEN. JON TESTER	X		
SEN. KEN MILLER, VICE CHAIRMAN	X		
SEN. MIKE SPRAGUE, CHAIRMAN	X		

SENATE STANDING COMMITTEE REPORT

February 3, 1999

Mr. President:

We, your committee on **Local Government** report that **Senate Bill 269** (first reading copy -- white) **do pass.**

Signed: *Senator Mike Sprague, Chair*

- END -

Committee Vote:
Yes 11, No 0.

270855SC.sjo

DATE 2/2/99

SENATE COMMITTEE ON Local Govt

BILLS BEING HEARD TODAY: SB 264, SJR 7

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Adam Dahlman	466-2151	Teton County	SB 264	X	
John Kubtz	463-2372	Teton County	SB 264	X	
Jan McCall	449-7394	City of Bigp	SJ7	Y	
Pat Keim	447-2301	BNSF	SJ7	X	
" "	447-2301	"	SB 264		X
Tim Murphy	542-4300	DNRC			X
Paul Slater	245-5791	Citizen	SJ7		X
Shawn Morris	MACO		SB264	X	
Jim Dransfield	443-4464	MT Fire Alliance	SB264		X
John Semple	443-7497	MT Fire Alliance	SB264		X

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

LEGISLATIVE TAPE LOG

COMMITTEE: Sen. Local Govt.

DATE: 2/2/99

MINUTES	CONTENT NOTES
3:10-3:24	Hearing on SB 264, Sen Pete Ekegren, SD 44, Choteau. Proponents Testimony.
3:24-3:32	opponents testimony
3:32-3:46	Questions from committee *
3:46-3:58	Closing, & Opening on SJR 7, Sen. John Bohlinger, SD 7, Billing
3:58-4:20	Proponents testimony, Questions from committee, Closing by sponsor
4:20-4:45	Executive Action - SB 269 DP; Ex. Action SB 233, Amendments, Discussion, DPAA, Ex. Action SJR 7 DP

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **VICE CHAIRMAN ROD BITNEY**, on March 9, 1999 at 3:00 P.M., in Room 104 Capitol.

ROLL CALL

Members Present:

Rep. Rod Bitney, Vice Chairman (R)
Rep. David Ewer, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Roy Brown (R)
Rep. Edith Clark (R)
Rep. Tom Dell (D)
Rep. Steven Gallus (D)
Rep. Toni Hagener (D)
Rep. Sam Kitzenberg (R)
Rep. Bob Lawson (R)
Rep. Mark Noennig (R)
Rep. Trudi Schmidt (D)
Rep. Carley Tuss (D)
Rep. Cindy Younkin (R)

Members Excused: Rep. Chris Ahner, Chairman (R)
Rep. Jeff Mangan (D)
Rep. Scott J. Orr (R)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kimberly Walkenhorst, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB270, SB269, SB239, 3/9/1999
Executive Action: SB180, SB207, SB166, SB270

HEARING ON SB269

Opening Statement by Sponsor: Senator Daryl Toews
{Tape : 1; Side : B; Approx. Time Counter : 5.2}

Proponents' Testimony:

Ron Miller, Fort Peck Rural Water District
{Tape : 1; Side : B; Approx. Time Counter : 7.9}

John Tubbs, Department of Natural Resources and Conservation
{Tape : 1; Side : B; Approx. Time Counter : 9.3}

Lucy Gallus, Montana Rural Water Systems
{Tape : 1; Side : B; Approx. Time Counter : 10.9}

Opponents' Testimony: None

Questions from Committee Members and Responses:
{Tape : 1; Side : B; Approx. Time Counter : 11.8}

Closing Statement by Sponsor: Senator Daryl Toews
{Tape : 1; Side : B; Approx. Time Counter : 22.4}

EXECUTIVE ACTION ON SB180

Motion: REP. YOUNKIN moved that SB180 BE CONCURRED IN.
{Tape : 1; Side : B; Approx. Time Counter : 24.2}

Motion: REP. YOUNKIN moved that AMENDMENTS PER **EXHIBIT(loh53a01)** BE CONCURRED IN.
{Tape : 1; Side : B; Approx. Time Counter : 25.4}

Discussion:
{Tape : 1; Side : B; Approx. Time Counter : 25.5}

Vote: Motion carried 14-0.
{Tape : 1; Side : B; Approx. Time Counter : 26.1}

Motion: REP. YOUNKIN moved that SB180 BE CONCURRED IN.
{Tape : 1; Side : B; Approx. Time Counter : 26.4}

Discussion:
{Tape : 1; Side : B; Approx. Time Counter : 26.4}

HOUSE OF REPRESENTATIVES

ROLL CALL [redacted]
LOCAL GOVERNMENT COMMITTEE

DATE 3-9-99 [redacted] NUMBER _____

[redacted]

NAME	[redacted] PRESENT	[redacted] EXCUSED
Rep. Joan Andersen	X	
Rep. Rod Bitney	X	
Rep. Sylvia Bookout-Reinicke	X	
Rep. Roy Brown	X	
Rep. Bart Campbell	X	
Rep. Edith Clark	X	
Rep. Tom Dell	X	
Rep. David Ewer	X	
Rep. Steven Gallus	X	
Rep. Toni Hagener	X	
Rep. Sam Kitzenberg	X	
Rep. Bob Lawson	X	
Rep. Jeff Mangan		X
Rep. Mark Noennig	X	
Rep. Scott J Orr		X
Rep. Trudi Schmidt	X	
Rep. Carly Tuss	X	
Rep. Cindy Younkin	X	
Rep. Chris Ahner	[redacted]	X

COMMITTEE PROXY

Date 3/9/99

I request to be excused from the: _____ **Committee** meeting this date because of other commitments.

I desire to leave my proxy with: Ewer
(Rep. Name)

Indicate Bill or Amendment Number and your vote **AYE** or **No**

If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

(Circle One)
House Senate

Bill/Amendment	Aye	No
SB 180 to table	V	~~X~~
SB 207	V	
SB 167	V	
SB 270	V	

Rep. Steve Zaiser

COMMITTEE PROXY

Date 3-9-99

I request to be excused from the: Local Gov. **Committee** meeting this date because of other commitments.

I desire to leave my proxy with: Chris Ahner
(Rep. Name)

Indicate Bill or Amendment Number and your vote **AYE** or **No**

If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

(Circle One)
House Senate

Bill/Amendment	Aye	No
SB 270	X	
SB 239		
SB 269		
SB 180 (Table)	X	
SB 207	X	
SB 166	X	

Rep. Rod Bitney

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Local Gov't COMMITTEE BILL NO. SB 269

DATE 3-9-99 SPONSOR(S)

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Lucy Hansen-Gallus 4 N. Benton, Helena	Montana Rural Water Systems, Inc.	X	
Ron Miller	Fort Peck Rural Co. Water Dist	X	
Dawn Morris	MACo		
John Tubbs	DNRC	X	
Tom Stelling	Cascade Co Comm	X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

LEGISLATIVE TAPE LOG

Date 3/9/99

House

COMMITTEE Local Government

MINUTES	CONTENT NOTES
.3	Opening Statement SB 270 Senator Gerry Devlin
2.3	Proponents: Gordon, Morris, MACO
2.9	Tim Burton, Chief Adm. Officer Lewis & Clark County
	Opponents: None
5.7	Inform: Mary Bryson, Dept of Rev.
6.5	Questions from Committee
6.5	Closing Statement
7.1	Opening Statement SB 239 Senator Glenn Roush
11.1	Proponents: Mike Eram, Northern MT landfill (Solid waste)
12.8	Gordon Morris, MACO
	Opponents: None
13.6	Inform: Dolores Cooney, Dept Revenue
13.8	Questions from Committee.
SIDE B	
3.1	Closing Statement by Sponsor
5.2	Opening Statement by Sponsor Senator Daryl Toews SB 269
7.9	Proponents: Ron Miller, ET Peck Rural H2O Dist.
9.3	John Tubbs, Dept. Natural Res. & Conservation
10.9	Lucy Gallus, MT Rural H2O Systems

LEGISLATIVE TAPE LOG

COMMITTEE House Local Government

MINUTES		CONTENT NOTES
		Opponents: None
		Inform: None
11:8		Questions from Committee
22.4		Closing Statement by Sponsor
24.2		E.A. SB 180
25.4		moved Bill by Younkin
		moved Amend. by Younkin (Ex 1)
25.5		Discussion
26.1		14-0
26.4		move Bill by Younkin
26.4		Discussion
7.1	TAPE 2 SIDE A	moved to Table Clark B. Tracy
		Ahner proxy aye
		Gallus aye
8.5		E.A SB 207
		moved by Tuss
9.0		moved Amd. by Hagenow (Ex 2)
9.2		Discussion
15.4		14-0
15.5		DO Concur by Tuss
15.6		Discussion
21.5		Addison moved amendment

22.0 Discussion

24.2 passed 14-0

24.3 DO Concurs Tuss

24.5 16-0 proxy by Gallus, Ahuna - yes.

Carry by Tuss

25.4 E.A. SB 166

Lawson moved

25.8 Discussion

Ahuna aye proxy Gallus

26.0 14 16-2 Tuss Brown

Sent Notice

Carry by Pavlovich

E.A. SB 270

27.3 moved by Yarkin

Discussion

Ahuna aye proxy

27.5 14 16-0 Carry by Lawson

Gallus aye proxy

E.A. SB 239

moved by

4:45 pm

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN CHRIS AHNER**, on March 23, 1999 at 3:00 P.M., in Room 104 Capitol.

ROLL CALL

Members Present:

Rep. Chris Ahner, Chairman (R)
Rep. Rod Bitney, Vice Chairman (R)
Rep. David Ewer, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Roy Brown (R)
Rep. Edith Clark (R)
Rep. Tom Dell (D)
Rep. Steven Gallus (D)
Rep. Toni Hagener (D)
Rep. Bob Lawson (R)
Rep. Jeff Mangan (D)
Rep. Mark Noennig (R)
Rep. Trudi Schmidt (D)
Rep. Carley Tuss (D)
Rep. Cindy Younkin (R)

Members Excused: Rep. Sam Kitzenberg (R)
Rep. Scott J. Orr (R)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kimberly Walkenhorst, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB504, SB417, SB423, 3/23/1999
Executive Action: SB504, SB417, SB423, SB225, SB366, SB269,

EXECUTIVE ACTION ON SB366

Motion: REP. EWER moved that SB366 BE CONCURRED IN. Amendments offered EXHIBIT(loh65a04).
{Tape : 3; Side : A; Approx. Time Counter : 5.3}

Discussion:
{Tape : 3; Side : A; Approx. Time Counter : 6}

Motion/Vote: REP. BOOKOUT-REINICKE moved that SB366 BE TABLED. Motion carried 9-5 with Bitney, Clark, Ewer, Gallus, and Younkin voting no.
{Tape : 3; Side : A; Approx. Time Counter : 18.7}

EXECUTIVE ACTION ON SB269

Motion: REP. HAGENER moved that SB269 BE CONCURRED IN.
{Tape : 3; Side : A; Approx. Time Counter : 23.8}

Motion: REP. BITNEY moved that AMENDMENTS PER EXHIBIT(loh65a05) BE CONCURRED IN.
{Tape : 3; Side : A; Approx. Time Counter : 24.6}

Discussion:
{Tape : 3; Side : A; Approx. Time Counter : 24.7}

Motion: REP. BITNEY moved that SB269 BE CONCURRED IN AS AMENDED.
{Tape : 3; Side : B; Approx. Time Counter : 0.7}

Motion/Vote: REP. HAGENER moved that SB269 BE TABLED. Motion carried 10-5 with Ahner, Ewer, Kitzenberg, Noennig, and Younkin voting no. Reps. Kitzenberg and Orr voted by proxies.
{Tape : 3; Side : B; Approx. Time Counter : 8.8}

EXECUTIVE ACTION ON SB225

Motion: REP. AHNER moved that SB225 BE CONCURRED IN.

Discussion:
{Tape : 3; Side : B; Approx. Time Counter : 11.1}

EXHIBIT 5
DATE 3-23-99
SB 269

5

Amendments to Senate Bill No. 269
3rd Reading Copy

For the Local Government Committee

Prepared by Bartley Campbell
March 23, 1999 (2:19PM)

1. Page 3, line 12.
Strike: "treasurer"
Insert: "clerk and recorder"

2. Page 3, line 13.
Following: "resolution"
Insert: "and not later than the July 15 preceding the county's next fiscal year"

3. Page 3, line 16.
Following: "secretary"
Insert: "and the county clerk and recorder"

- END -

HOUSE OF REPRESENTATIVES

LOCAL GOVERNMENT COMMITTEE

ROLL CALL DATE 3-23-99

NAME	PRESENT	ABSENT	EXCUSED
REP. CHRIS AHNER	X		
REP. JOAN ANDERSEN	X		
REP. ROD BITNEY	X		
REP. SYLVIA BOOKOUT-REINICKE	X		
REP. ROY BROWN	X		
REP. BART CAMPBELL	X		
REP. EDITH CLARK	X		
REP. TOM DELL	X		
REP. DAVID EWER	X		Ø
REP. STEVEN GALLUS	X		
REP. TONI HAGENER	X		
REP. SAM KITZENBERG		X	
REP. BOB LAWSON	X		
REP. JEFF MANGAN	X		
REP. MARK NOENNIG	X		
REP. SCOTT J ORR		X	
REP. TRUDI SCHMIDT	X		
REP. CARLY TUSS	X		
REP. CINDY YOUNKIN	X		

COMMITTEE ABSENTEE BALLOT

Date: 3-23-99

I hereby authorize Rep. Bitney

to cast my vote(s) as follows:

417 NO
423 YES
504 NOS
225
269 NO
366

Representative [signature]

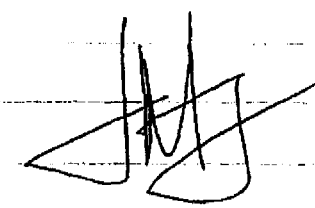
proxy —

JEFF MORGAN

SB 225 - yes

SB 269 - yes

Amend 2690 - no



HOUSE OF REPRESENTATIVES
COMMITTEE PROXY

DATE 3-23-99

I request to be excused from the LCL 600 Committee meeting this date because of other commitments. I desire to leave my proxy vote with Rep Bitsy.

Indicate **Bill Number** and your vote **Aye** or **No.** If there are **amendments**, list them **by name and number** under the bill and indicate a **separate vote for each amendment.**

HOUSE BILL/AMENDMENT	*AYE*	*NO*
423		V
417		X
504		X
225	X	
269	X	
366	X	

SENATE BILL/AMENDMENT	*AYE*	*N*

Rep. Orr
(Signature)

HR:1993
WP/PROXY

Page 1
Date 3/23

LEGISLATIVE TAPE LOG

House

COMMITTEE Local Government

MINUTES		CONTENT NOTES
.6		Opening Statement SB504 Sen. J.D. Lynch SD18
3.8		Proponents: Bob McCarthy, County Atty. Butte-Silverbow
		Opponents: None
7.8		Informational: Gordon Morris, MACO
8.8		Questions from Committee
13.2		Closing Statement by Sponsor
14.0		Opening Statement SB 417 Mignon Waterman SD 26 (Ex 1)
17.8		Proponents: David Clouse (Ex 2) (Ex 3)
23.7		Gordon Morris, MACO
25.8		Jim Smith, Sheriff & Peace Off. Assoc.
27.9	SIDE B	Questions from Committee
22.6		Closing Statement by Sponsor
24.3		Opening Statement by Sponsor SB 423. Sen Mahlum
25.9		Proponents: Mike Kadas, Mayor Miss
27.9		Alec Hansen, MT League of Cities & To
29.3	TAPE 2 SIDE A	Jenny Dixon, Missoula
3.2		Questions from Committee

LEGISLATIVE TAPE LOG

House

COMMITTEE Local Government

MINUTES	CONTENT NOTES
15.7	Closing Statement by Sponsor
18.4	E.A SB 417
	moved by Morgan
18.4	moved Amend by Morgan
18.9	Discussion
19.3	Substi Amend by Nocenig
19.5	Discussion
	15-0
21.2	
21.4	Discussion.
26.1	13-5 Lawson, Brown, Bitsey Orr, Kitzenberg, Schmidt Yes Prosise
	Morgan Carry
27.3	E.A. SB 423
	moved by Bookout-Reinecke
27.6	Discussion
27.7	15-2 NO = Lawson, Orr, Kitzenberg = Yes
	Nocenig Carry
28.3	E.A. SB 504
	Moved by Gallus
28.6	Discussion
	SIDE B
25.4	Nocenig proposes & moves amendment
25.9	Discussion

LEGISLATIVE TAPE LOG

House

COMMITTEE Local Government

MINUTES		CONTENT NOTES
28.8		14-0 Orr proxy
29.2		Moved by Gallus
29.3	TAPE 3 SIDE A	Discussion
4.2		14-0 Gallus carry
5.3		E.A. SB 366 moved by Ewer Amendments offered (Ex 4) Handout.
6.0		Discussion
18.7		Move to table by Bookout Ewer, Clark, Gallus, Bitney 9-5 Yourkin
23.8		E.A. SB 269 moved by Ottoson
24.6		Move Amendments (Ex 5) Bitney
24.7	SIDE B	Discussion
0.4		13-0
0.7		Moved by Bitney
8.8		Moved to table 2-0 Ewer 2-0 Ahrens-Nowinski 10-5 Yourkin NO - Ottoson, Bitney YES - Orr proxy
	E.A	~~SB 225~~

LEGISLATIVE TAPE LOG

House

COMMITTEE Local Government

MINUTES	CONTENT NOTES
11.1	E.A. SB 225
11.3	Ahuna moved
	Discussion
15.8	Nocanig moved Amend.
15.9	Discussion
17.2	10-0
17.4	Move Bill by Yanskin
17.4	12-0 Bookout-Reinicke Manson proxy aye
	Adjourn 5:80

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN CHRIS AHNER**, on March 25, 1999 at 3:10 P.M., in Room 104 Capitol.

ROLL CALL

Members Present:

Rep. Chris Ahner, Chairman (R)
Rep. Rod Bitney, Vice Chairman (R)
Rep. David Ewer, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Roy Brown (R)
Rep. Edith Clark (R)
Rep. Tom Dell (D)
Rep. Steven Gallus (D)
Rep. Toni Hagener (D)
Rep. Sam Kitzenberg (R)
Rep. Bob Lawson (R)
Rep. Jeff Mangan (D)
Rep. Mark Noennig (R)
Rep. Trudi Schmidt (D)
Rep. Carley Tuss (D)
Rep. Cindy Younkin (R)

Members Excused: None.

Members Absent: Rep. Scott J. Orr (R)

Staff Present: Bart Campbell, Legislative Branch
Kimberly Walkenhorst, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted:
Executive Action: SB269

EXECUTIVE ACTION ON SB269

Vote: Motion **MOVED TO UNTABLE SB269 carried 14-0.**
{Tape : 1; Side : A; Approx. Time Counter : 0.4}

Motion: **REP. EWER** moved that **SB269 BE CONCURRED IN.**
{Tape : 1; Side : A; Approx. Time Counter : 1.4}

Motion: **REP. EWER** moved that **AMENDMENTS BE CONCURRED IN.**
{Tape : 1; Side : A; Approx. Time Counter : 1.4}

Discussion:
{Tape : 1; Side : A; Approx. Time Counter : 1.8}

Motion/Vote: **REP. EWER** moved that **WITHDRAWS HIS MOTION TO AMEND. AND MOVES A NEW AMENDMENT EXHIBIT(loh67a01). BE CONCURRED IN.**
Motion carried 15-0.
{Tape : 1; Side : A; Approx. Time Counter : 28.3}

Motion: **REP. EWER** moved that **SB269 BE CONCURRED IN AS AMENDED.**
{Tape : 1; Side : A; Approx. Time Counter : 29.9}

Discussion:
{Tape : 1; Side : A; Approx. Time Counter : 30.1}

Vote: Motion **carried 15-2 with Bitney and Lawson voting no.**
Reps. Gallus, Hagener, and Mangan voted aye by proxy.
{Tape : 1; Side : B; Approx. Time Counter : 16}

EXHIBIT 1
DATE 3-25-99
SB 269

Amendments to Senate Bill No. 269
3rd Reading Copy

Requested by Representative David Ewer

For the House Local Government Committee

Prepared by Bartley Campbell
March 26, 1999 (7:51AM)

1. Page 3, line 9.
Following: "**assessment**"
Insert: "-- who considered owner -- sufficient protest to bar proceedings"

2. Page 3, line 12.
Strike: "treasurer"
Insert: "clerk and recorder"

3. Page 3, line 13.
Following: "resolution"
Insert: "and not later than the July 15 preceding the county's next fiscal year"

4. Page 3, following line 13.
Insert: "(3) At any time within 30 days after the date of the first publication of the notice of proposed assessments, any owner of property to be assessed for the costs of making the improvements may make written protest against the levy of assessments. The protest must be in writing, identify the property in the district owned by the protestor, and be signed by all owners of the property. The protest must be delivered to the secretary of the district not later than 5 p.m. of the last day of the 30-day period provided for in this subsection. The secretary shall endorse the date and hour of receipt on the protest.

(4) If the board of directors finds that a protest with respect to the method or methods of assessment described in the resolution of intention is made by the owners of property in the district to be assessed for more than 50% of the cost of improvements, the board of directors may not use the method or methods of assessment described in the resolution of intention."

5. Page 3, line 16.
Following: "secretary"
Insert: "and the county clerk and recorder"

- END -

HOUSE OF REPRESENTATIVES

ROLL CALL ~~VOTE~~
LOCAL GOVERNMENT COMMITTEE

DATE 3-25-99 BILL NO. _____ NUMBER _____

MOTION: _____

NAME	~~YES~~ PRES	~~NO~~ EXC
Rep. Joan Andersen	✓	
Rep. Rod Bitney	✓	
Rep. Sylvia Bookout-Reinicke	✓	
Rep. Roy Brown	✓	
Rep. Bart Campbell	✓	
Rep. Edith Clark	✓	
Rep. Tom Dell	✓	
Rep. David Ewer	✓	
Rep. Steven Gallus	✓	
Rep. Toni Hagener	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bob Lawson	✓	
Rep. Jeff Mangan	✓	
Rep. Mark Noennig	✓	
Rep. Scott J Orr		X
Rep. Trudi Schmidt	✓	
Rep. Carly Tuss	✓	
Rep. Cindy Younkin	✓	
Rep Ahner	✓	

14

HOUSE STANDING COMMITTEE REPORT

Mr. Speaker:

We, your committee on **Local Government** report that **Senate Bill 269** (third reading copy -- blue) **be concurred in as amended.**

Signed: Chris Ahner
Representative Chris Ahner, Chair

To be carried by Representative David Ewer

And, that such amendments read:

1. Page 3, line 9.
Following: "**assessment**"
Insert: "-- who considered owner -- sufficient protest to bar proceedings"

2. Page 3, line 12.
Strike: "treasurer"
Insert: "clerk and recorder"

3. Page 3, line 13.
Following: "resolution"
Insert: "and not later than the July 15 preceding the county's next fiscal year"

4. Page 3, following line 13.
Insert: "(3) At any time within 30 days after the date of the first publication of the notice of proposed assessments, any owner of property to be assessed for the costs of making the improvements may make written protest against the levy of assessments. The protest must be in writing, identify the property in the district owned by the protestor, and be signed by all owners of the property. The protest must be delivered to the secretary of the district not later than 5

Committee Vote:
Yes 15, No 2.

681143SC.ham

p.m. of the last day of the 30-day period provided for in this subsection. The secretary shall endorse the date and hour of receipt on the protest.

(4) If the board of directors finds that a protest with respect to the method or methods of assessment described in the resolution of intention is made by the owners of property in the district to be assessed for more than 50% of the cost of improvements, the board of directors may not use the method or methods of assessment described in the resolution of intention."

5. Page 3, line 16.
Following: "secretary"
Insert: "and the county clerk and recorder"

- END -

3/2

Proxy House/local Gov
w/ D. Ewen

5/3 2q
Amd

Yes
Yes

LEGISLATIVE TAPE LOG

House

COMMITTEE Local Government

MINUTES	CONTENT NOTES
	3:15 pm CONVENE
.4	E.A. SB269
	Motion by Ewer to untable
1.4	14-0
	Motion by Ewer to concur
1.4	Motion by Ewer to amend (ex 1)
1.8	Discussion
	TAPE WAS TURNED OFF ACCIDENTALLY @ about 15.0
28.3	
	Ewer withdraws & moves a new amendment
28.4	
	15-0 Gallus by proxy (yes)
29.9	Ewer moved bill as amended
30.1	Discussion

SIDE B.

16.0	14-2 (15) Lawson, Bitney } NO — Gallus - yes, Hagner - yes, Mangan - yes
	Adjourn 4:00pm